

AMENDMENTS TO THE DRAWINGS

Applicant has attached one replacement drawing sheet containing amended drawing figure 3C.

Attachment: One replacement drawing sheets containing amended figure 3C.

REMARKS

Claims 1-24, 26-37, 39 and 41-43 are all the claims pending in the application. Claims 1 and 24 have been amended to incorporate the limitations of claims 40 and 25, respectively. Claim 32 has been amended for formal reasons relating to the rejections under 35 U.S.C. § 101. Claims 25 and 40 have been cancelled.

I. Drawings

Applicant respectfully requests the Examiner withdraw the objections to the drawings in view of the self-explanatory amendments to the specification presented above and in view of an amended drawing figure 3C.

II. Specification

The Examiner has objected to paragraphs [14]-[16] the specification. In particular, the Examiner indicated that the word “object” should be amended to “objective”. While Applicant respectfully disagrees with the Examiner because the term “object” means “purpose, objective, or intent”, in order to advance prosecution, Applicant has amended the specification as suggested by the Examiner. As such, Applicant respectfully requests the Examiner withdraw the objections to the specification in view of the self-explanatory amendment presented above.

III. Claim Rejections under 35 U.S.C. § 101

Applicant respectfully requests the Examiner withdraw the rejection under 35 U.S.C. § 101 to claims 32-37 in view of the self-explanatory amendments presented above.

IV. Claim Rejections under 35 U.S.C. § 112

Claims 32-37 stand rejected under 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with the written description requirement. In particular, the Examiner asserted that the specification does not support the claimed element “computer readable medium.” Applicant respectfully traverses the rejection.

Applicant respectfully submits that one of skill in the art at the time of filing the application would have immediately recognized the meaning of a computer readable medium and recognized that the inventor was in possession of the subject matter of claims 32-37 in view of the specification and claims as filed.

Specifically, claim 38, as originally filed, recited “A recording medium, wherein . . . data . . . is stored in a computer-readable format.” This clearly sets forth a “computer readable medium” in such a way as to support the claimed “computer readable medium ” and to inform one of skill in the art that the disclosed subject matter could readily take the form of a computer program stored in a computer readable medium.

As such, Applicant respectfully requests the Examiner withdraw the rejection of claims 32-37 under 35 U.S.C. § 112, first paragraph.

V. Claim Rejections under 35 U.S.C. § 102

Claims 1-6, 12-17, 19, 21-25, 27, 29-33, 36-37 and 39-41 stand rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by Johnson et al. (U.S. Patent No. 7,159,174).

Applicant has amended claims 1 and 24 to incorporate the subject matter of claims 40 and 25, respectively. Further, claim 16 has not been amended and claim 32 has been amended only for reasons relating to the rejection under 35 U.S.C. § 101. Because the amendments are only to incorporate the subject matter of a dependent claim and to comply with formalities, no change in scope has been made that would require further search or consideration, and, as such, Applicant respectfully requests the Examiner consider amended claims 1, 25 and 32 with claim 16 on the merits in the next Office Action. With respect to the amended claims, Applicant respectfully traverses the rejection.

Johnson relates to a system for building media playlists and associating the playlists with a common user interface of a media player for playback in a pre-configured manner. (Johnson, Col. 1, Lns. 14-19). “In general, the media player 102 associates or maps preset buttons . . . on the common user interface 1312 with playlists 220 and 222 using mapping file 234. Therefore, by selecting a particular preset [button], a user can access a preconfigured group of media files . . . that have been organized within a particular playlist from playlists 220 or 222.” (Johnson, Col. 14, Lns. 28-37). The media player is programmed in a process referred to by Johnson as synchronization which is illustrated in Figure 12 of Johnson. The synchronization process begins when the media player is docked with PC 106. The PC then configures the media player based on synchronization instructions provided by a user through PC-based user interface 214. In particular, based on the synchronization instructions, the PC creates mapping information file 234 and the playlists 220 and 222 (hereinafter referred to as synchronization information). When the generation of the synchronization information in step 1210 is complete, the PC 106 loads the generated synchronization information onto the media player 102. The media player 102 then uses the mapping file to associate preset buttons on its interface with particular playlists. (Johnson, Col. 13, Lns. 1-25 and Fig. 12).

Figure 17 shows the operation of the media player. As can be seen, after the media player 102 receives the synchronization information and configures itself, it receives a selection input when the user presses a preset button which initiates the associated action of playing the media file of the playlist associated with the button. (Johnson, Fig. 17).

Claim 1 relates to a method and recites, *inter alia*,

**storing the synch data required to synchronize
the provided contents on a content device; and**

determining, by the content device, the target device and conditions for execution of the contents by interpreting the stored synch data;

wherein the contents are provided by the source device to the content device, and

the action command is issued by the content device to the target device if conditions for execution of the contents are fulfilled

In the Office Action, the Examiner asserted that the PC 106 corresponds to the claimed content device, the media player 102 corresponds to the claimed target device, and the media files correspond to the claimed content. (Final Office Action, Pgs. 5 and 6). Further, the Examiner appears to be asserting that synchronization information loaded onto the media player 102 in step 1212 corresponds to the claimed “issu[ing of the] action command by the content device” and the completion of the generation of the synchronization information in step 1210 corresponds to the claimed “conditions for execution of the contents”. (Final Office Action, Pgs. 46-47). Applicant respectfully submits that the teachings of Johnson fail to teach or suggest the above highlighted claim features.

In particular, Applicant respectfully submits that there is no teaching of **PC 106 (i.e. the content device)** loading the mapping file 234 and the playlists 220 and 222 onto the media player” (i.e. the target device), **when any conditions for execution, determined based on interpreted stored synchronization data, are fulfilled.** In other words, the loading of the synchronization data in step 1212 is performed after the synchronization information is generated. However, the completion of the generation of the synchronization information is not determined to be a “condition for execution” of the media files by interpreting any “synch data”. This is merely a step in the program flow for programming the player 102. As such, Applicant

respectfully submits that Johnson fails to teach or suggest an “action command is issued by the content device to the target device if conditions for execution of the contents are fulfilled.”

Further, Applicant respectfully submits that even assuming *arguendo*, the completion of step 1210 was determined to be a condition for the loading of the generated synchronization information onto player 102 by interpreting some “synch data”, this condition cannot be said to teach or suggest a “condition for **execution of the contents**” (i.e. the media files). This would be a condition for the programming of the player 102. As such, Applicant respectfully submits that Johnson clearly fails to teach or suggest “**determining, by the content device, . . . conditions for execution of the contents by interpreting the stored synch data**” and an “action command is issued by the content device to the target device **if conditions for execution of the contents are fulfilled**”.

Finally, the Examiner asserted that Johnson further teaches the player 102 being programmed in such a way that it executes a playlist at a certain time **without the pressing of a preset button by the user of the media player**. (Final Office Action, Pgs. 46 and 47). First, Applicant respectfully submits that there is no such teaching of the player performing an action at a preset time without a button being pressed. Second, even assuming *arguendo* that Johnson contains such a teaching, Applicant respectfully submits that the player 102 being programmed to, for example, automatically make a phone call at a particular time without any user input would not teach or suggest the explicit requirements of the claim. The claim requires, an “action command is **issued by the content device to the target device** if conditions for execution of the contents are fulfilled”. The player 102 making a phone call at the preset time would be the **“target device” issuing the action command to the “target device” if the condition for execution is fulfilled**. There is simply no teaching of the PC 106 issuing any action command,

for example, at a particular time, to the player 102, wherein the time is determined by the PC 106 by interpreting stored synch data.

As such, for at least these reasons, Applicant respectfully submits that Johnson fails to teach or suggest each and every limitation of claim 1.

Accordingly, Applicant respectfully submits that claim 1 is not anticipated under 35 U.S.C. § 102(e) by Johnson, because the reference does not disclose all of the features and limitations of the claim. Accordingly, Applicant respectfully requests that the Examiner withdraw the rejection of claim 1, and claims 2-6, 12-15 and 39 at least by virtue of their dependency from claim 1.

Further, Applicant respectfully submits that independent claims 16, 24 and 32 and their dependant claims 17, 19, 21-23, 27, 29-31, 33, 36-37, 39 and 41 are also patentable over Johnson for at least similar reasons. In particular, claim 24 requires “a content device operable to . . . control a **target device to automatically execute the contents . . . the content device comprising: a sync handler operable to determine conditions for execution of the contents using the interpreted synch data; and a content processor operable to issue an action command to the target device through a service manager if the conditions are fulfilled**”. In Johnson, the **contents** (i.e. the media files themselves) are only executed (played) **when a user presses the mapped button** and certainly not when the PC determines that any conditions for execution of the media files are fulfilled and issues a action command. Similar reasons regarding claims 16 and 32 are readily apparent from their explicit requirements. As such, Applicant respectfully requests the Examiner withdraw the rejections of independent claims 16, 24 and 32 and dependent claims 17, 19, 21-23, 27, 29-31, 33, 36-37, 39 and 41.

VI. Claim Rejections under 35 U.S.C. § 103

Claims 7, 20 and 28:

Claims 7, 20 and 28 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Johnson et al. (US 7,159,174 B2) in view of Robbin et al. (US Publication 2003/0167318 A1). Applicant respectfully traverses the rejection.

Above, Applicant pointed out that Johnson is deficient vis-à-vis independent claims 1, 16, and 24. Applicant respectfully submits that Robbin fails to compensate for the deficiencies of Johnson. Even taken for what they would have meant as a whole to an artisan of ordinary skill, the combined teachings of these two references would not have (and could not have) led the artisan of ordinary skill to the subject matter of independent claim 1, 16, and 24, much less dependent claims 7, 20, 28.

Therefore, claims 7, 20 and 28 would not have been obvious within the meaning of 35 U.S.C. §103(a). Additional, untaught modifications would have been necessary.

Accordingly, Applicant respectfully requests that the Examiner withdraw the rejection of claims 7, 20 and 28.

Claims 8-11, 18, 26 and 42-43:

Claims 8-11, 18, 26 and 42-43 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Johnson et al. (U.S. Patent No. 7,159,174 B2) in view of Carter et al. (U.S. Patent No. 7,136,934 B2). Applicant respectfully traverses the rejection.

Above, Applicant pointed out that Johnson is deficient vis-à-vis independent claims 1, 16, and 24. Applicant respectfully submits that Carter fails to compensate for the deficiencies of Johnson. Even taken for what they would have meant as a whole to an artisan of ordinary skill, the combined teachings of these two references would not have (and could not have) led the

artisan of ordinary skill to the subject matter of independent claim 1, 16, and 24, much less dependent claims 8-11, 18, 26 and 42-43.

Therefore, claims 8-11, 18, 26 and 42-43 would not have been obvious within the meaning of 35 U.S.C. §103(a). Additional, untaught modifications would have been necessary.

Accordingly, Applicant respectfully requests that the Examiner withdraw the rejection of claims 8-11, 18, 26 and 42-43.

Claims 34 and 35:

Claims 34 and 35 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Johnson et al. (U.S. Patent No. 7,159,174) in view of White et al. (U.S. Publication No. 2004/0139180). Applicant respectfully traverses the rejection.

Above, Applicant pointed out that Johnson is deficient vis-à-vis independent claim 32. Applicant respectfully submits that White fails to compensate for the deficiencies of Johnson. Even taken for what they would have meant as a whole to an artisan of ordinary skill, the combined teachings of these two references would not have (and could not have) led the artisan of ordinary skill to the subject matter of independent claim 32, much less dependent claims 34 and 35.

Therefore, claims 34 and 35 would not have been obvious within the meaning of 35 U.S.C. §103(a). Additional, untaught modifications would have been necessary.

Accordingly, Applicant respectfully requests that the Examiner withdraw the rejection of claims 34 and 35.

VII. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the

Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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